

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, December 11, 2018**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, November 13, 2018, at 6 P.M. in the Men's Lounge of Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 6:00 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig
Vice Mayor Richard Dehnert
Councilmember Scott Buckley

Councilmember Bill Regner
Councilmember Debbie Hunseder

Town Staff:

Town Manager Gayle Mabery
Administrative Services Director Kathy Bainbridge
Economic/Community Development Director Jodie Filardo
Police Chief Randy Taylor
Utilities/Public Works Director Maher Hazine
Town Clerk Mary Ellen Dunn

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

Drake Meinke, Clarkdale resident – provided updates and statistical information on the Copper Art Museum and how it relates to visitors to the Town of Clarkdale in general. Requests that the Council individually visit the owner of 901 Main St. regarding the sale of his property.

REPORTS

Current Events – A brief summary of current events. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

Mayor's Report –

- 11/14/18 – Attended all day Verde Watershed Report Card workshop

Vice-Mayor's Report –

- 11/14/18 – Participated in interview on phone with Jenn Reichelt (Novak Group)

- 11/15/18 – Intergovernmental meeting in Jerome

Councilmember Regner's Report –

- 11/14/18 – Phone interview with Jenn Reichelt (Novak Group)
- 11/15/18 – Intergovernmental meeting in Jerome
- 11/16/18 – Met with Yavapai College District Governing member Paul Chevalier
- 11/24/18 – Attended Light up the Mountain event in Jerome
- 11/28/18 – VVTPO meeting
 - Clarkdale Historical Society Strategic Planning meeting
- 12/01/18 – Attended Oddity Wine Release party
- 12/04/18 – Attended Yavapai College President search forum
 - Boards and Commissions interviews
- 12/05/18 – Clarkdale Historical Society Strategic Planning meeting
- 12/06/18 – Boards and Commissions interviews
 - Attended made in Clarkdale event

Councilmember Buckley's Report –

- 11/14/18 – Phone meeting with Jenn Reichelt (Novak Group)
- 11/15/18 – Intergovernmental meeting in Jerome
- 12/01/18 – Cottonwood Christmas parade
 - Oddity Wine Release party
- 12/04/18 – Boards and Commissions interviews
 - Downtown Business Alliance meeting
- 12/06/18 – Boards and Commissions interviews
 - Attended Made in Clarkdale event

Councilmember Hunseder's Report –

- 11/14/18 – Phone meeting with Jenn Reichelt (Novak Group)
- 11/15/18 – Intergovernmental meeting in Jerome
- 11/28/18 – Clarkdale Historical Society Strategic Planning meeting
- 12/01/18 – Cottonwood Christmas parade
 - Oddity Wine Release party
- 12/04/18 – Downtown Business Alliance meeting
- 12/06 – 07/18 – Attended Newly Elected Officials training
- 12/08 – 09/18 – Made in Clarkdale event
- 12/12/18 – Clarkdale Facilities tour

Town Manager's Report –

Reminders:

- December 21st - Last town sponsored community event for 2018 - Caroling in the Park at 6:00 p.m.
- Recruiting for applicants for 2019 Concert in the Park bands – applications due January 4th
- Town Hall closed at noon on December 24th and closed all day December 25th
- Closed January 1st
- Council meetings will move to Clarkdale Police Annex on January 16th for remodel of Clark Memorial Clubhouse/Council Chambers
- Congratulations to Reserve Police Officer Bill Martin and Utilities Clerk Linda Lombardo on their retirements!

Organizational Reports – Reports regarding regional organizations.

CAT – Cottonwood Area Transit (Councilmember Buckley)

- No report

VVTPO – Verde Valley Transportation Planning Organization. (Councilmember Regner)

- November 28, 2018 meeting topics: Yavapai County reported the Verde Connect Project regarding alternative routes receiving good feedback from their survey. County working on Beaverhead Flat and 179 intersection work and improvement of visibility; Page Springs road putting up guardrails for more safety as well; Cornville road improvements; Tapco Parking improvements; VOC survey to property owners regarding alternate route between VOC and West Sedona; Status of Verde Soil Remediation program; results from Prop 445; bridge from Bitter Creek Road discussion

NACOG - Northern Arizona Council of Governments. (Vice Mayor Dehnert)

- No report

NAMWUA - Northern Arizona Municipal Water Users Association. (Councilmember Buckley)

- No report

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held November 13, 2018 and Special Meetings November 8, 20, and 27, 2018.

- B. Claims** - List of specific expenditures made by the Town during the previous month. November, 2018 check log and PPE dated October 27, November 10, 19, 24, and 29, 2018.
- C. Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.
 Board of Adjustments Notice of Cancellation of meeting November 28, 2018
 Design Review Board Notice of Cancellation of meeting November 7, 2018; Minutes of held November 14, 2018
 Planning Commission minutes of the meeting held November 20, 2018
 Parks and Recreation Commission minutes of the meeting held November 14, 2018
- D. Resignation of Aaron Midkiff's resignation from the Design Review Board** – Acceptance of Aaron Midkiff's resignation from the Design Review Board.

Action: Approve Consent Agenda items A – D as presented.

Motion: Councilmember Buckley

Second: Councilmember Regner

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

NEW BUSINESS

JOINT SESSION WITH PLANNING COMMISSION – A Joint Work session with Town Council and Planning Commission to discuss current priorities and issues.

Parks and Recreation Commission Chair Ida deBlanc called the meeting to order at 6:27 p.m.

The Planning Commission was invited to meet with Town Council in a joint worksession on Tuesday, December 11th at 6:00 p.m.

The Planning Commission consists of the following members:

Chair	Ida de Blanc
Vice Chair	John Erickson

Commissioners Jorge Olguin
 Craig Backus

The purpose of the Planning Commission, as defined in Section 17-5-1 of the Town Code is:

'to formulate, create and administer any lawful plan duly adopted by the governing body for the present and future growth of the Town pertaining to the use of land and buildings for any purpose, together with all incidental activities usually associated therewith and commonly known as "Planning and Zoning"; to make or cause to be made a continuous study of the best present and future use to which land and buildings shall be put within the Town and in cooperation with adjacent areas; to recommend to the governing body revisions in such plans which, in the opinion of the Commission, are for the best interest of the citizens of the Town; to promulgate rules of procedure if such rules are approved by the governing body.'

2017/2018 Planning Commission Activity:

- Adoption of the Central Business Area and Broadway Corridor Focus Area Plans
- Review of the Permeable Surfaces presentation
- Review of the Jerome Elk's Lodge Rezone application
- Review of the Railroad Crossing RV Park Rezone application
- Began working on revisions to the Landscape Ordinance

Council and Commissioners discussed the topic broached by Drake Meinke in public comment. DeBlanc stated that there is a challenge balancing the rights of the private citizen and the obligations of the Town government. Mayor Von Gausig stated the philosophical question he asks is "should we build traffic where there is none or should we concentrate on areas where there is traffic?" Discussion followed regarding micro-businesses, other ideas regarding attracting people to Main Street, division of Town into various diverse areas and addressing these areas individually. Discussion followed regarding parking shortage, permeable concrete surfaces, priorities and costs. Further discussion followed regarding benefits and challenges of traffic from the Train, Rain Spirit RV Park, and Bitter Creek Bridge.

Town Manager Mabery noted that one of the Strategic Planning objectives was to be flexible if there are barriers to projects that we want to bring forward.

Without objection, Chair deBlanc adjourned the Joint session at 7:34 p.m.

Action: This is a discussion item only. No Council action is necessary.

FIRST AMENDMENT TO THE RESTATED DEVELOPMENT AGREEMENT WITH CROSSROADS AT MINGUS – Discussion and possible action regarding the First Amendment to the Restated Development Agreement with Crossroads at Mingus.

The original plat for the Crossroads at Mingus subdivision was approved by Town Council and recorded in 2006. In 2011 an amended plat was approved and recorded. The original Development agreement has been amended four times to reflect changes in the development.

In 2014 the Development Agreement was completely restated to reflect the new sole ownership of the project by PTM Enterprises (John & Coleen Tobias). This restated development agreement addressed water and wastewater credits, development of the Mescal Spur extension, as well as timing of development of the two parks in the subdivision, Tract F and Tract K.

Park Development

Section 17 of the Restatement to the Development Agreement recorded in 2014 includes language setting completion dates for the two parks. For Tract F, the developer is obligated to complete improvements to the park prior to issuance of the 65th building permit or sale of the 65th lot.

Permit Activity

As of the date of this report, 55 building permits for new homes have been issued for the Crossroads at Mingus Subdivision with one permit application pending review. A total of 58 lots have been sold since the Restatement to the Development Agreement was recorded in 2014.

Site Plan and Design Review

After a series of public meetings Town Council approved the design and site plan for Tract F park on August 14, 2018. After approval, the developer began working on construction plans to submit for a building permit before the end of the year.

Subsequent to the design and site plan approval, the Parks and Recreation Commission completed a process to name the park. The name Copper Penny Park was officially accepted by Town Council on October 9, 2018.

Re-statement request

In anticipation of the possibility the 65 building permit/lots sold threshold will be met prior to completion of Copper Penny Park, staff and the developer are proposing an amendment to the Restatement of the Development Agreement. This amendment transfers the developers obligation to complete and dedicate the park from a permit/sold lot threshold to a date certain completion of November 30, 2019.

The amendment also clarifies the developer's obligations for establishing the financial assurance for completion of Copper Penny Park by setting up an escrow account for the estimated amount of park construction plus the costs for three years of park maintenance. The escrow account will also include a fifteen percent contingency fee.

The Town will control the escrow account and will release funds based on documentation submitted by the developer.

Town Attorney Review

The First Amendment to the Restated Development Agreement has been reviewed and approved by the Town Attorney.

The modification to the deadline to complete the Park on Tract F is the only change being proposed to the Restated Development Agreement. The requirements for the completion of the Park on Tract K by the 129th permit issued or lot sold will remain in place. Based on the average number of permits issued/lots sold per year of 14, this threshold is likely to be reached in five years.

Planning Manager Escobar presented this information and additional information to Council. She provided copy of approved Site Plan and made the recommendation of one change with the support of the applicant to reword the language for completion of the park to extend to November, 2019. Escobar noted that Exhibit C is currently missing and will be presented to the Mayor for signature pending Town Engineer and Council approval.

Action: Approval of the First Amendment to the Restated Development Agreement with Crossroads at Mingus, contingent on the receipt of an acceptable Exhibit C: Construction and Maintenance Cost Schedule, and authorize the Mayor to sign the Agreement after confirmation of said receipt of Exhibit C.

Motion: Councilmember Regner

Second: Vice Mayor Dehnert

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

FRIENDS OF THE VERDE RIVER ANNUAL FUNDING FOR REGIONAL PROJECTS THAT BENEFIT THE VERDE WATERSHED – Discussion/possible action regarding acceptance of non-match, Friends of the Verde River grant totaling \$5,000.

Friends of the Verde River annually funds regional projects intended to provide for Conservations, Recreations, or Educational Opportunities that benefit the Water Watershed.

The Tuzigoot River Access Point is a Day Use Area located on property owned by Arizona State Parks and is part of the Verde River Greenway State Natural Area that operates year round during daylight hours.

Public access to the site is via driveway extending from Tuzigoot Road to the parking area located within the floodplain. Handicap accessible parking spaces and a handicap accessible path that extends 400 ft. and ends at a viewing platform overlooking the river and area that is popular with families and visitors enjoying the river.

A primitive boat landing/launch area is located approximately 500' downriver from the Tuzigoot Bridge, and allows kayakers and canoeists a small landing space with a path that leads up to the parking area on the lower bench. This is a popular landing spot for boaters who launched from the Lower TAPCO RAP or other upstream sites.

PROJECT OBJECTIVE: Encourage greater use of the river by easing the physical demands required to access and egress the water at the Tuzigoot River Access Boat Landing.

PROPOSED PROJECT: The proposed project includes:

- Improving the path by widening it and adding a handrail on one side.
- Mitigating erosion by installing trail steps and water conveyance devices.
- Stabilizing and increasing the width of the current boat landing and launch area to relieve the congestion resulting from the number of current users.
- Grant will cover material, equipment and staff time. Detailed Project budget is attached for reference.

Public Works/Utilities Director Maher Hazine presented information on this agenda item to council.

Action: Accept Friends of The Verde River One-Time Annual Grant.

Motion: Councilmember Buckley

Second: Councilmember Regner

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

RESOLUTION MAKING APPOINTMENTS TO VARIOUS REGIONAL ORGANIZATIONS – Discussion and consideration of Resolution # 1587, a Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona, amending Resolution #1533 making appointments to various regional organizations.

The Town of Clarkdale is represented on numerous regional organizations by our elected officials. Several of the organizations that we participate with require that a Council Member be officially designated to represent Clarkdale before the organization. The Clarkdale Town Council typically reappoints representation to these organizations every two years (after the election cycle), or when necessary due to other circumstances.

The Town's Public Service Handbook states the following with regard to appointments to regional organizations:

1. After appointment by the Town Council to a regional board or committee, the representative may submit a report to the Town Council, Town Manager, or appropriate department, identifying significant matters. (We typically handle this under the "Reports" section of the Regular Council meeting each month.)
2. For some issues, the Town Council representatives may ask to have an issue agendaized for Town Council consideration before the next regional meeting so that the representative can receive direction from the Town Council and accurately reflect the Town's position in their meetings.
3. Important issues that require a Town Council representative report the Town's official position before any federal, state, regional, county, or other governing body, board or committee should be brought to the Town Council, if there is time, so that the Town Council can give directions and to ensure that the representative is accurately stating Town Council positions.
4. If a councilmember appears before any federal, state, regional, county or other governing body, board or committee and has not received any direction from the Town Council as a whole concerning matters which are being discussed, the councilmember must explicitly state that he/she is speaking only as an individual and that his or her comments should not be construed as representing the views of the Town of Clarkdale or the Clarkdale Town Council.
5. Where time constraints require immediate input on behalf of the Town, and where the Town Council representative has a substantial good-faith basis for assuming that there would be strong Town Council support for the position, the Town Council representative may state a Town position and shall notify the Town Council of the position taken at the earliest opportunity.

One new position has been added to the list in 2018, reflecting the Verde Valley Regional Economic Organization's desire to have local government input into the ongoing efforts to implement their Long-Range Strategic Plan.

Some, but not all, of the organizations, request that an alternate be officially named by the Town Council. Following is a list of the regional organizations that have requested Council designated appointments:

Cottonwood Area Transit (CAT) – CAT was formed at the request of the City of Cottonwood in order to include a diverse perspective from system users and partners relating to the transit system that they operate. Additionally, because State/federal transportation funding provides the bulk of the system revenues, there is a requirement that Cottonwood have and maintain this committee. The committee meets to give input and suggestions about the local transit system and to receive updates as to the operation of the system. There is no set schedule for meetings, but it is typical to meet approximately quarterly. One Council representative needed. Staff is also requested to attend these meetings and can serve as an alternate in the absence of the Council Member. *Currently: Primary Representative - Councilmember Buckley; Alternate - Town Manager Mabery*

Verde Valley Transportation Planning Organization (VVTPO) - VVTPO meets to discuss and prioritize regional transportation planning issues and needs, and advise NACOG regarding regional roads priorities in the Verde Valley. The VVTPO also gives input to Yavapai County on the use of Yavapai County's ½ cent sales tax for projects in the Verde Valley. One Council representative is needed.

Currently: Primary Representative - Councilmember Regner

Northern Arizona Council of Governments (NACOG) – NACOG meets five times a year in Flagstaff. This committee approves the programs and operations of NACOG. A COG, or Council of Governments, serves local governments and the citizens of a region by dealing with issues and needs that cross city, county and even state boundaries. Mechanisms used to address these issues may include communications, planning, policy making, coordination, advocacy and technical assistance. One Council Member and one designated Council alternate is needed. *Currently: Primary Representative - Vice Mayor Dehnert; Alternate - Councilmember Regner*

Northern Arizona Municipal Water Users Association (NAMWUA) – One Council Member and two designated alternates needed. The NAMWUA Executive Board meets 4 times per year. Meetings are held on Fridays and rotate throughout the region (which may require travel to Flagstaff, Payson, the Prescott area, etc). After experiencing difficulty having a quorum, the NAMWUA Board has asked that each member entity appoint one representative and two alternates. *Currently: Councilmember Buckley; Councilmember Regner, (Alternate); Maher Hazine (Staff – 2nd Alternate)*

Verde Valley Regional Economic Organization's Long Range Strategic Plan Committee (VVREO-LRSPC) – VVREO is a regional economic development collaborative whose mission is to provide access to resources for regional business creation, attraction, retention and expansion. They foster sustainable economic growth and prosperity in the Verde Valley communities. VVREO is governed by a 22 member Board of Directors, which includes 5 Executive Board Members and 17 Directors. In 2017-18, VVREO undertook the development of a Long Range Strategic Plan, and are asking for each local government in the Verde Valley to appoint an elected official to serve on the Long Range Strategic Plan Committee beginning in calendar year 2019. The current expectation is that the Committee will meet on a quarterly basis to review and make recommendations relating to progress with the Long Range Plan. One Council representative needed.

During tonight's meeting, staff is requesting that the Council designate a Primary Representative for all five of the organizations listed, and a 1st Alternate for NACOG and NAMWUA.

Organization	Primary Representative	1 st Alternate	2 nd Alternate
CAT	Councilmember Buckley	Staff Position – Town Manager Mabery	N/A
VVTPO	Councilmember Regner	N/A	N/A
NACOG	Vice Mayor Dehnert	Councilmember Regner	N/A
NAMWUA	Vice Mayor Dehnert	Councilmember Buckley	Staff Position – PW/UT Director Maher Hazine
VVREO-LRSPC	Councilmember Hunseder	N/A	N/A

Action: Approval of Resolution #1587, A Resolution making appointments to various regional organizations.

Motion: Vice Mayor Dehnert

Second: Councilmember Buckley

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

RESOLUTION MAKING AN APPOINTMENT TO THE PLANNING COMMISSION – Discussion and possible action regarding the approval of Resolution #1591, amending Resolution #1584, making appointment to the Planning Commission.

The Planning Commission has one vacancy that was created by the resignation of newly appointed Councilmember Debbie Hunseder. The term expires September 30, 2019.

The Review Committee met Tuesday, December 4th and Thursday, December 6th to conduct interviews of the applicants. There were five applicants:

Tuesday, December 4th

Michael Lindner (currently serving on the Design Review Board)
 Matthew Kaempfe
 Michael Pierce (currently serving on the Board of Adjustment)

Thursday, December 6th

Ben Kramer
 Nicholas Plenzick

Councilmembers Regner and Buckley will be bringing the recommendations to you this evening. The final decision will be made following the final interview on December 6th and the selected application for recommendation will be emailed to you.

Council was informed that Ben Kramer was the selection by the panel. Discussion followed regarding the selection process. Councilmember Hunseder requested that any of the other qualified candidates be considered for the position. Councilmembers Buckley and Regner shared with other council members the thought processes shared by the selection committee and despite some of the public perception was that Mr. Kramer had high integrity and without hesitation advanced his name. Mayor Von Gausig stated that he hadn't met anyone with higher integrity or with greater interest in serving the community than Mr. Kramer.

Action: Approval of Resolution #1591, amending Resolution #1584, making an appointment to the Planning Commission.

Motion: Councilmember Buckley

Second: Councilmember Regner

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye

Vice Mayor Richard Dehnert	Abstained
Council Member Debbie Hunseder	Nay
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

The vote passed 4 – 1 with three ‘ayes’, 1 ‘nay’, and 1 abstention (abstention counts in the affirmative).

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda.
None


ADJOURNMENT – Without objection, Mayor Von Gausig adjourned the meeting at 8:09 p.m.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:



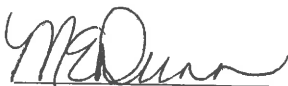
Mary Ellen Dunn, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 11th day of December, 2018. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 9th day of January, 2019.

SEAL



Mary Ellen Dunn, Town Clerk